

Senate Meeting Minutes
Nanaimo, B.C., July 31 – August 02, 2008
Coast Bastion Inn

Senators Present: Al Edkins, Ron Snider, Philip Gladue, Bob Adams, Bill Thibeault and Margaret Penner.

Administrative Assistance: Dean Trumbley, Interim Senate Clerk



July 31, 2008

1. Call to order, July 31 at 09:45
2. Opening prayer – Senator Adams
3. Minutes of June 13 –14 meeting in Kelowna
Motion: That the minutes be approved as read.
Moved by: Senator Gladue
Seconded by: Senator Adams
Carried
4. Review and Approval of Agenda
Additions to agenda: 3. Minutes of June 13, 14 meeting in Kelowna.
Motion: That the agenda be approved as amended.
Moved by: Senator Penner
Seconded by: Senator Snider
Carried
5. Development of Mediation and Dispute Resolution Policies and Procedures
Discussion in the group on the process followed with the Dahl case. Need to set down process in writing for application in future.
ROD – 001 – *Secretary will take the notes from our discussion today, and send on to other Senators before next meeting. All review notes and be prepared to bring forward at next meeting for further discussion.*
6. Adjourned

August 2, 2008

IN CAMERA SESSION – CITIZENSHIP APPEALS

7. Meeting Schedule for Senate Business
Next meeting will be concurrent with AGM in Kelowna in September. Senators are to be prepared for a meeting the morning of Friday, September 26, so travel day is Thursday, September 25. There will more than likely be one meeting in late November or early December to deal with cases as arise. Next meeting with be concurrent with MNGA, likely in March.
As per original discussions at start of Senate, now feel we can have citizenship cases heard by a Tribunal of the Senate, not require full Senate sitting. The Senate will have a sitting only when there is a full case load, at least three cases. If there are fewer cases, the Senate will look to add the case(s) as part of regular meeting.
ROD – 002 – *Will set up a Tribunal of Senators to process future citizenship appeal cases. Members on Tribunal may vary depending on specific cases.*
8. Seal and Registration
Discussion on whether there is a need for a seal for Clerk to use, with Chairman signing, rather than have signatures of all Senators on a case.

ROD – 003 – *All presiding Senators will sign cases for files. Do not need signatures for letters that go on website. Senate Clerk to bring two copies of each previous case to next meeting for Senators to sign, one copy for files at head office, one for Secretary to keep on files.*

9. Format for Swearing-In ceremony at AGM in September.

A meeting of Senate Chair, Senate Clerk and MNBC CEO will be set-up prior to AGM to go over ceremony. Senators are all to come in ceremonial attire for the AGM opening ceremonies. Robes are the formal dress for Senators, at less formal occasions the ribbon shirts and vests are normal attire for Senate. Robes are to be worn for the inauguration, swearing-in, and for personal attendance at deliberations where outside parties present.

ROD – 004 – *Senate Clerk will set contact MNBC CEO and set up meeting. Clerk will also inform Senate Chair of meeting plans so the three can meet to go over swearing in ceremony.*

10. Review Section 2.8.c of Senate Policies and Procedures

This item was carried out on July 31, 2008 as part of discussions.

11. Resolution for MNGA on “Three Strike Rule”

Arising from cases where Senate has upheld Registrar, statement in determinations that allows for a revisit if new evidence comes to light. Have recent cases where new evidence, but not substantial enough to change decision, basically frivolous evidence. There is a concern on number of appeals that could come forward with frivolous evidence, resulting in costs and time to Senate and MNBC for appeal process. However, also concern that as case law changes over time, we may need to reconsider evidentiary packages.

ROD – 005 – *Senate Clerk will present case with new evidence submitted only. Senate will consider, and determine if there is material of substance and a need for Clerk to proceed to full process, with requests for demands, etc.*

ROD – 006 – *Senate Clerk will revise Senate Policies and Procedures for screening process on repeat applicants, to bring forward to Senate for implementation.*

12. Future Training

Look at pre-emptive training in preparation for anticipated cases in future. Maybe good to get some natural resource management training in preparation for cases associated with Natural Resource Act.

ROD – 007 – *Set up to have a half hour training session, for the Senate at the AGM in Kelowna this September, on Natural Resource Act and how the BCMANR Captains apply it. Clerk Trumbley and Gary Ducommun, Director of Natural Resources, will be asked to present training to the Senate.*

13. Planning for 2009/10 Fiscal

Bring ideas to Senate Clerk in September so can have full budget drafted by the end of January. For ongoing work next year, expect to sit on citizenship cases about three times, mediation once per year, elections once every four years, natural resource cases about twice per year. Additionally, have to develop a Senate five-year implementation plan regarding compensation and ceremonial activities.

14. Review Senate Policies and Procedures for Completeness

Reviewed during meeting, some updates in progress.

15. Update on Future Case Load

As presented on agenda.

16. Meeting adjourned, August 02, 2008 at 15:45.

Approved: _____

Bill Thibeault, *Senate Secretary*